

The United States Senate

Report of Proceedings

Hearing held before

Committee on Foreign Relations

S.J.Res. 156 -- Amendment of the Constitution of the
International Labor Organization

Foreign Service Promotions

S.Res. 247 -- Severing of Diplomatic Relations with Russia

S. 138 -- Aiding Persons Desirous of Migrating to the
Republic of Liberia

The Universal Copyright Convention of 1952 -- Executive M,
83rd Congress, 1st Session

EXECUTIVE SESSION

Thursday, May 20, 1954

Washington, D. C.

WARD & PAUL

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WASHINGTON, D. C.

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EXECUTIVE SESSION

S. J. RES. 156
PROVIDING FOR ACCEPTANCE BY THE UNITED STATES
OF AMERICA OF AN INSTRUMENT FOR THE AMENDMENT
OF THE CONSTITUTION OF THE INTERNATIONAL LABOR
ORGANIZATION

- - -
Thursday, May 20, 1954

United States Senate,
Committee on Foreign Relations,
Washington, D. C.

The committee met, pursuant to notice, at 11:00 o'clock
a.m., in the Foreign Relations Committee Room, U. S. Capitol
Building, Senator Alexander Wiley (chairman of the full committee)
presiding.

Present: Senators Wiley (presiding), Smith, Hickenlooper,
Aiken, Green, Sparkman, Gillette, and Mansfield.

Also Present: Arnold L. Zempel, Executive Director, Office
of International Labor Affairs;

Alwyn V. Freeman; and

Dr. Wilcox, Mr. O'Day, and Mr. Holt, of the committee staff.

(REPORTER'S NOTE: The committee was in session and consider-
ing S. J. Res. 156 at the time of arrival of the reporter.)

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(S. J. Res. 156 is as follows:)

STATEMENT OF THE HONORABLE IRVING M. IVES

UNITED STATES SENATOR FROM THE STATE OF NEW YORK

Senator Ives. * * * Where we have fallen down in the past is that we have not been active enough. That is our short-coming.

Now, if anybody attempts to monkey with us on the Floor, I do not want to be around.

Senator Smith. The only question that might be raised there is one that you can answer immediately right here. It is in the minds of many people that these various international conventions commit us, there is the idea that we would be committed by these conventions.

Senator Ives. We are not committed in any way, shape or manner.

Senator Smith. The conventions do not, then, commit?

Senator Ives. We are not committed in any way.

It is a very unfortunate thing we were so late getting into the I.L.O. As I recall, we did not get into that until 1934.

It was an adjunct of the original League of Nations and we held back because of our refusal to join the League. Finally in 1934 we went in and have been in since that time and since the United Nations came in, the I.L.O. has been an adjunct of that the same as it was in the League of Nations.

However, in the meantime the procedures and policies and other things have been adopted in the I.L.O. which might never have occurred if we were members at the start. We have to take

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that as it is, we cannot help ourselves.

Among the things adopted is this convention idea which I do not favor, but it is nothing we need to be concerned about in any way, shape or manner because it is very significant that of the somewhat over 100 conventions that have been approved only seven of them have been accepted by our own Government, that is, by the ratification of the Senate.

Those dealt, six of them, with shipping matters that were Federal exclusively and the other was an amendment to the constitution of the I.L.O. itself, which puts us in the same category in the United Nations as we occupied with respect to the League.

Nobody need have any fear of the I.L.O. as long as we are a member but if we ever get out of the I.L.O. we have a great deal of fear.

I had a lot of fun in Paris, coming back --

Senator Hickenlooper. Good.

Senator Ives. I was laid up, I had the flu, but I got out of bed in time to go over to the reception that was given for me by one of the Senators over there in the French Senate.

It was very interesting because they started pounding on me immediately on this convention business and why we did not ratify conventions. They did not seem to understand.

A few of them could speak English. Now, when I am over there, I find that generally they can understand my English

better than they can understand my French, so I do not try to talk French. As I say, a few of them could speak English and there were some interpreters around and I think before I got through with them I was able to explain that, why we cannot ratify those conventions. They bypass the States themselves, in fact they really bypass the Federal Government. When I got through I think they understood what the difficulty is and I do not think that a lot of them will be expecting us to ratify any conventions.

Senator Gillette. Senator, Article III provides that when this is ratified by the members it is to be amended in accordance with the preceding Articles I and II.

Article I substitutes 40, 20, 60 and 10 for 32, 16, 12 and 8; but Article II says it amends a sentence at --

Senator Ives. That was the obsolete sentence that was in there. That pertains to the six non-European countries.

Senator Green. Have you got the constitution?

Senator Ives. I think I have got the constitution.

Senator Gillette. That is to be deleted and I was just wondering what it was, that is all. I will just take your memory for it.

Senator Ives. Of the 16 members, 6 shall be non-European states. Nobody has paid any attention to that anyway because more than 6 had been non-European states.

I got into a tangle with the British on that one. I insisted

that they take it out. That is my memory. They had not included it in their agenda and it is utterly obsolete now and should not even be in. You know how the British are on tradition. I had quite a time.

Fortunately, the Chair had quite a bit of authority and there was no appeal from the Chair. That is why it is so very vital that Russia never become president of the conference.

Senator Mansfield. It has an American president now.

Senator Ives. I am the first one.

Senator Mansfield. What is Morse's position?

Senator Ives. secretary-general. But it is very vital, and I think our Government understands how vital it is we keep Russia out from that presidency because with that provision that there can be no appeal, you can imagine what could happen. That is what that does. That is my amendment.

The Chairman. Is there anything further, gentlemen?

I have here a letter from the Assistant Secretary of State, Thruston B. Morton, stating in part:

"In view of the urgency of this matter, this report has not been cleared with the Bureau of the Budget."

Senator Ives. I do not think it needs to be cleared by the Bureau of the Budget.

The Chairman. We do not have a quorum right at the moment but I will entertain a motion with the idea it be approved when we have a quorum, and we will have to get the consent of the full

membership.

Senator Smith. I move the other members be polled on this.

Senator Gillette. And that it be accepted.

Senator Smith. Yes.

The Chairman. That the matter be reported favorably.

Senator Gillette. I second that.

The Chairman. All right. I thank you for your courtesy.

The record might show that Arnold L. Zempel, Executive Director of the Office of International Labor Affairs, is here; if anyone wants to question him he may do so. Otherwise you are excused, gentlemen.

(REPORTER'S NOTE: Subsequently, upon arrival of Senator Sparkman, the action above taken was approved and concurred in by Senator Sparkman.)

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FOREIGN SERVICE PROMOTIONS**Thursday, May 20, 1954**

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The Chairman. Now, gentlemen, we have here a list of foreign service promotions containing 72 names which were submitted to the Senate by the President on April 27, 1954.

(The list referred to is as follows:)

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The Chairman. I have got permission from Senator Jenner to withdraw his objection. If there is no objection these names will be reported favorably to the calendar.

Senator Smith. What was Senator Jenner's objection?

The Chairman. Well, he really did not have an objection, he wanted it held up.

Senator Smith. These are routine? These are nominations of persons named in the list and they include in this group promotions of foreign service officers, consuls, secretaries in the diplomatic service, and so forth. The letter of transmittal states that the individuals concerned have been given security clearance based on investigations conducted under the standards prescribed by Executive Order 10450, and that these nominations are in accordance with existing law and that for our convenience in considering them they have furnished biographical sketches and so forth and they state that letters have been sent to the appropriate Senators. It is signed by John Foster Dulles.

Now, the only objection Senator Jenner had, he just asked for them to be held up, and then I met with him, and this was way back to April 10, and he said, "I have no objection."

Senator Mansfield. These are all long overdue anyway, so I move the adoption.

The Chairman. You move it be reported?

Senator Mansfield. Favorably, I do.

Senator Smith. Seconded.

sm9 The Chairman. Without objection, so ordered.

(The action above taken was approved and concurred in by
Senator Sparkman upon his arrival.)

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S. RES. 247

Thursday, May 20, 1954

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The Chairman. We have a resolution here, S. Res. 247, introduced by Senator Jenner for himself and Senator McCarran concerning the severing of diplomatic relations with Russia and the convoking of an international conference of the free nations of the world "for the purpose of agreeing upon united action (a) to destroy the Communist fifth column, and (b) to resist further aggression by international communism."

(S. Res. 247 is as follows:)

105ml1 The Chairman. I presume that was sent to the State Department.

Mr. O'Day. Yes.

The Chairman. You have not got any report?

Mr. O'Day. No, sir.

The Chairman. We will not take action on it at this time then. It will go over for that reason. That will be the reason assigned.

Senator Mansfield. It is a good legitimate reason.

Senator Smith. Also, it has just been introduced, on May 13.

The Chairman. All right, gentlemen.

(The action above taken was approved and concurred in by Senator Sparkman upon his arrival.)

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S. 138

TO PROVIDE AID TO PERSONS IN THE UNITED STATES
DESIROUS OF MIGRATING TO THE REPUBLIC OF LIBERIA,
AND FOR OTHER PURPOSES

Thursday, May 20, 1954

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The Chairman. We have S. 138, introduced by Senator Langer, "To provide aid to persons in the United States desirous of migrating to the Republic of Liberia, and for other purposes."

(S. 138 is as follows:)

13 The Chairman. That is a perennial, you remember, that comes to us.

Senator Smith. What is the significance of it?

The Chairman. To get the colored folks into Africa.

Senator Gillette. That is a problem to our basic naturalization laws. I move it be reported to a subcommittee consisting of three Republican members.

(Laughter.)

Senator Smith. Are you trying to duck your responsibility?

Senator Gillette. No, I move it be reported to a subcommittee. Senator Langer is a member of the committee. I think there ought to be a report.

The Chairman. Was it not referred before?

Dr. Wilcox. Yes, it was last year. There were some hearings. Senator Langer was to take the matter up but Senator Langer is not here. We have notified him several times that we are going to take it up.

Senator Gillette. Has that subcommittee reported?

Dr. Wilcox. The subcommittee decided under the circumstances that there was not much that could be done about it.

The State Department expressed some rather vigorous opposition to it and the Liberian government itself is not in favor of it and the National Association for the Advancement of Colored People sent telegrams saying that they were very much against it. It looks as though there is considerable opposition to it.

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Senator Gillette. Until it is reported to us by the subcommittee we cannot act.

The Chairman. Who is on the subcommittee?

Dr. Wilcox. A group with Senator Langer held hearings on this question last year so that the people who were in Washington could present their case. There was no report made by the subcommittee.

Mr. Holt. As I recall it, the subcommittee consisted of Senators Langer, Tobey and Mansfield.

Senator Smith. What did you do with it?

Senator Mansfield. I do not recall it.

The Chairman. The subcommittee will please prepare a report and then we will take the matter up at the next meeting. I do not know how it got on the agenda.

Senator Smith. What is the purpose of this?

The Chairman. They want to raise some money to finance the exportation.

Dr. Wilcox. There is a group of people who feel that a way should be found to encourage the migration of colored people to Liberia. They think that there is an opportunity there and they think that it would afford an outlet for the colored people to go, for them to have a refuge and a home.

Apparently there is some doubt as to the wisdom of it. The Liberian government has a limited capacity to receive and make arrangements for such people. The State Department feels it is

dsml5 inadvisable, too, to a very large extent because the Liberian government does not want it; and the sentiment of the colored people seems to be strongly opposed to it for less practical reasons.

Senator Gillette. Well, it is in the hands of the subcommittee and until they report it --

Dr. Wilcox. I had hoped that Senator Langer would be here this morning.

The Chairman. He has been pushing the matter and it has been put on the agenda but now that it is in the hands of the subcommittee I think it ought to stand with the subcommittee and its chairman will be asked to report. In the meanwhile you gentlemen govern yourselves accordingly.

(The action above taken was approved and concurred in by Senator Sparkman upon his arrival.)

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THE UNIVERSAL COPYRIGHT CONVENTION OF 1952 --
EXECUTIVE M, 83RD CONGRESS, 1ST SESSION.

Thursday, May 20, 1954

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The Chairman. Will you proceed, Senator Hickenlooper?

Senator Hickenlooper. Mr. Chairman, I guess every member has a copy of this printed document. It is a certified copy of the Universal Copyright Convention. I will present the report of the subcommittee.

I would like to put this little statement in the record. The subcommittee was a combined subcommittee consisting of Senators Capehart, Fulbright, Mansfield, and myself as chairman, from the Foreign Relations Committee; and from the Judiciary Committee, Senator Wiley, who is chairman of that subcommittee, Senator Jenner and Senator Eastland. Senator Wiley was wearing two hats in effect on that.

The reason for that was that this copyright convention must first be ratified and then there must be implementing legislation which will pass through the Judiciary Committee and so we combined the two subcommittees in the hearings on the matter in order to expedite it.

Now, Mr. Chairman, the subcommittee of which I am the chairman is reporting unanimously to the full committee the Universal Copyright Convention signed at Geneva in 1952. Hearings on the convention and the implementing legislation were held

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jointly with the Subcommittee on Patents Trademarks and Copyright of the Committee on the Judiciary, which is considering S. 2559.

Parenthetically, that is the legislation which will implement this convention if ratified.

During the course of these hearings our subcommittee was impressed both with the need for the convention and the widespread support which exists for it throughout almost every branch of industry affected. Your subcommittee considers that the United States and its people will benefit greatly from our acceptance of the convention, which has been carefully drafted so as to take into account and give recognition to the principles governing the protection of copyrights in the United States.

What the convention does, basically, is to provide that every state shall grant copyright protection to the works of subjects of other parties to the same degree and on the same basis as that which it provides for its own nationals. The guiding principle of the convention, therefore, is that of national treatment.

The convention will afford a sounder and more satisfactory basis for protecting the literary and artistic works of our own citizens in foreign countries than now exists. Today this protection hangs on a rather tenuous thread. To obtain protection for the fruits of his labor in countries outside the United States, an American author must resort to the device of

"publishing" his work simultaneously in a Berne Convention country -- a convention to which the United States is not even a party. By such "publication" -- which consists in releasing copies for sale, usually in Canada, simultaneously with publication in the United States -- the American author obtains protection in every country which is party to the Berne Convention. However the basis of this protection can be withdrawn at any time.

The Universal Copyright Convention would change this unsatisfactory state of affairs and give American citizens, for the first time in our history, a sound basis for safeguarding their works in foreign countries through a multipartite convention. The convention is warmly supported by the Department of State, by the Office of the Register of Copyrights, by the Library of Congress, and by the Department of Commerce, as well as by the entire organized copyright bar.

In addition, Mr. Chairman, I may say that we had but two days of hearings but in those two days we had representations almost entirely by personal testimony supplemented by the statements of two or three others from, as far as we know, all of the segments who should be interested in this, that is, composers, book publishers, and so on, and they all supported the Universal Copyright Convention.

Senator Green. This includes writers and authors. How about painters, do you include them?

Senator Mansfield. And playwrights.

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Senator Hickenlooper. Does it include painters?

Mr. Freeman. It includes producers of literary works, musical composers --

Senator Green. It does include musical composers?

Senator Hickenlooper. Yes.

Senator Green. But not painters?

Senator Hickenlooper. I would say that paintings and prints are protected under this combination of literary and artistic works, although there was no testimony on behalf of the painters or etchers or anything of that kind.

Senator Green. I suppose that there has to be reproduction in order to get it.

Senator Hickenlooper. Anyway no objection was raised on the part of anybody and I feel that they feel they are protected under this.

Senator Green. Are they protected?

Senator Hickenlooper. I believe they are. We have no personal knowledge, or we have no testimony on it, but it is my opinion they are protected under the general copyright in every country on artistic works.

There was one source of objection to this and that came from an attorney for some of the motion picture producers who objected to the convention on the basis that their sound tracks --

Mr. Freeman. Sound track portions of motion pictures.

Senator Hickenlooper. Yes, the sound track portions of

sm20 motion pictures; that is not specifically mentioned in here and therefore they feel that they have no protection.

Now, we had that examined quite carefully and it is our definite opinion that the legislation which implements this can amply protect the sound track portion of pictures and can amply give them protection under the authority of this convention, and will have to be accepted in the convention, of course, because of our legislation.

We had that up with those people and while I have nothing in writing from them it is now understood, at least by me and the staff, that they have tacitly agreed they will again take it up with Senator Wiley and his Subcommittee on Legislation.

We feel they are amply protected right now and it has nothing to do with the convention itself.

Senator Green. Is the language of the convention in this report?

Mr. Freeman. It is in this message from the President.

Senator Hickenlooper. Now, the situation today is just this. A convention was entered into in Berne, Switzerland, a good many years ago to which the United States is not a party.

We do not have any real protection for the creators of our literary and artistic and other works abroad except by the very tenuous device of simultaneous publication of those works in a country which is a party to the Berne Convention, and thereby our writers get the protection by that simultaneous

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publication in a Berne Convention country.

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However, that can be withdrawn and denied at any time now, and other countries, and I believe Holland is one which are so-called Berne countries which do not pay any attention to that and our writers get no protection in countries like Holland and others, who can reproduce their works willynilly without regard to that convention at all.

There was one other objection to this and that came from the labor organization representing, I believe, the bookbinders.

Mr. Freeman. The typographical union.

Senator Hickenlooper. They claimed that it might put some American typographical workers out of work because this will enable certain books to be published in English abroad and still get copyright protection in their country.

We have had a very careful analysis of that by one of the attorneys for the book publishers -- well, no, by one of the publishers himself showing that at the most it could not possibly affect more than a couple of hundred people in this country if it affected all of them, but with the probability that with this protection we will get more publication in this country in English because it is very clear that when you get over 2,500 copies it is cheaper and more efficient to publish in this country by our publishing methods and machines than any place abroad. Under 2,500 copies of a publication it probably might be cheaper to get that work done in England or

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France or some place like that, but nobody disputed the fact that 2,500 is the breaking point and that actually in dollars it was cheaper to get it done here, so that in that case many publications which now are not sure of protection may come to this country to publish in English in order to be absolutely certain.

Nevertheless it was universally agreed by all the interested people with the exception of the typographical union that this was a step forward, that it would benefit creators in this country and would give them protection denied to them heretofore.

We had letters and communications from many artists and publishers and so on, showing that in order to protect their copyright interests in things that they had produced, they have had to begin filings and even lawsuits in as many as 14 or 15 of the major countries simultaneously and hire lawyers and all of that, to get their protection and it places an unconscionable burden on them.

I am sure the committee in its unanimous report was entirely convinced that this was very much on the plus side for the protection of our creative people; that it will not unduly harm anybody else but it will really protect the creative and cultural production of this country and should be adopted.

The Chairman. You move this be reported favorably?

Senator Hickenlooper. I so move, that it be reported favorably to the calendar.

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Now, if there are any questions of me or my staff, we will try to answer them.

Senator Gillette. Do we have a quorum?

The Chairman. No, we have no quorum but we are expecting Senator Sparkman here and I am sure he will be here later.

Senator Smith. What countries have not signed, or is this practically universal?

Mr. Freeman. The list of signatories is given at the end of Executive M and there are three additional countries which do not appear, on page 26.

Senator Hickenlooper. The major countries which would be affected, I think, are signatories.

Mr. Freeman. 48.

Senator Hickenlooper. I might also bring out that while other countries have done it, of course our ^Nshirts have not been clear ^Keither, on violating the rights of others.

We have taken countless works in this country and because we are not a party to the Berne Convention we have, to use the proper term, pirated those works and have had production of plays, moving pictures and all of those things without paying any royalties to the authors of those works abroad and that has been a source of friction.

Now, even those people who have done that over here have no objection, even the people who have produced have no objection to paying this royalty because it will get protection for their

American works.

They feel that there will be a great increase under this in our contributions along that line and in the long run that this is very, very advantageous to us.

Now, the Senator asked about paintings. It is my opinion that this covers paintings.

Mr. Freeman. There is no question about it, it specifically says paintings in Article I. It says that engraving and sculpture are all included.

Senator Hickenlooper. It covers it like a blanket.

Senator Green. I wanted to be sure.

Mr. Freeman. There is one thing that might be said in connection with the refusal by Holland, for example, to afford protection.

The most dramatic example of the inadequacy of the protection under the Berne Convention for American authors is seen in the action of the Dutch courts in connection with Margaret Mitchell's well-known book, "Gone With The Wind."

There the Dutch courts took the position that the mere fact of releasing copies of the work for sale in Canada would be insufficient to comply with the requirements of the Berne Convention; although the courts did intimate that if some stage in the process of publication such as binding of the volumes took place in Canada, the convention would be satisfied.

Senator Hickenlooper. Well, the protection given in the

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Berne countries is only protection by sufferance of the country involved, any country can refuse to give that protection to the United States because they are not bound by it because they are not a party, and several other countries are in that position. I think this is all on the plus side.

Senator Gillette. Will the Senator from New Jersey make a motion?

Senator Hickenlooper. I moved that the committee recommend it be reported favorably.

Senator Gillette. Seconded.

The Chairman. Senator Sparkman is present. It is moved that it be reported favorably to the calendar. Without objection the convention in relation to copyright shall be reported favorably.

The other actions of the committee have been approved and concurred in by Senator Sparkman.

The committee will stand adjourned.

(Whereupon, at 12:00 o'clock noon, the committee was adjourned.)

Thursday, May 20, 1954

UNITED STATES SENATE
COMMITTEE ON FOREIGN RELATIONS

The Committee met, pursuant to notice at 11:05 a.m., in the Foreign Relations Committee room, Senator Alexander Wiley, Chairman of the Committee, presiding.

Present: Senators Wiley, Hickenlooper, Green, Gillette and Mansfield.

Also present: Senator Ives to testify on his resolution, S. J. Res. 156, pertaining to the ILO Convention.

Senator Ives testimony as follows:

At present there are 69 members of ILO (with Russia). The governing body consists of 32 members.

Senator Wiley asked if the ILO had any business transactions with the Kremlin -- to which Senator Ives replied that Russia was a member of the ILO.

Senator Ives went on to say that the change in the Constitution had been under consideration for some time, and the only change involved was a change in size of membership. This was to be changed from 32 to 40 (that is of the governing body). A change in the membership is needed to take care of the Federal Republic of Germany and Japan who have now become members of the ILO. They will undoubtedly become eligible for membership in the governing body since they are chief industrial states. It was decided that it would be better to increase the number of the governing body to 40 instead of eliminating

two who were members already. This would increase the governments represented from 16 to 20 and the representative of employers and workers from 8 each to 10 each.

In order that the constitutional amendment may become effective, it will have to be approved by a 2/3 majority of the membership. At the same time, it will have to be approved by at least 5 of the chief industrial states on the governing body. Four states have ratified already -- we will make the fifth. 40 members of the ILO have adopted the amendment; if we join, that will make 41.

In answer to inquiry from Senator Smith, Senator Ives assured the Committee that the amendment to the ILO Constitution was purely mathematical in nature, and its primary purpose was for Japan and Germany to become members of the governing body because of their status as chief industrial states.

There followed some discussion of the instrument which was adopted at the ILO Conference.

Senator Ives stated further that many of the smaller countries are very anxious to have the increase -- especially the Latin American countries.

The instrument just covers membership and does not alter in any way the other phases of the Constitution. It was adopted by a vote of 189 to 0 with 2 abstentions -- the South African delegates being the ones who abstained.

Senator Ives stated that with Russia going back in and with the Ukraine also going in, it was a very important time for us to become active.

/jp

May 23, 1954

Dear Senator Wiley:

In reply to your letter of May 13, 1954, requesting the views of this Department concerning Joint Resolution 156 with respect to the amendment of the Constitution of the International Labor Organization, the following is submitted:

The Department of State favors passage of this resolution by the Congress since it is of the opinion that the proposed increase in the Governing Body of the ILO from 32 to 40 members is desirable. As the Joint Resolution points out, the United States Delegation to the 36th ILO Conference unanimously supported the instrument of amendment. The Department believes enlargement of the Governing Body is desirable for the following reasons:

The Governing Body has not increased in size since 1935, when the ILO had 60 members. Present membership is 69. The amendment, therefore, will help to bring more governments into association with the continuing work of the ILO, whose work is supervised by the Governing Body. This is a goal which the United States always has supported. The increased size of the ILO membership and the interest of member states in greater participation, therefore, would appear to justify the increase in the Governing Body.

In addition, the amendment would delete the last sentence of paragraph 2 of article 7 of the Constitution, which does not reflect existing conditions. This sentence stipulates that "of the 16 members represented, six shall be non-European states". Its deletion takes account of the fact that for some years there have been more than six non-European states on the Governing Body and also eliminates any possible inference that European membership on the Governing Body must be greater than that from other parts of the world.

The 36th ILO Conference also adopted a resolution inviting its membership to seek to accept the proposed amendment as speedily as possible so that it could become effective before June, 1954, when the next elections for the reconstitution of the Governing Body will be held at the 37th ILO Conference. The 36th Conference pointed out difficulties which would ensue if the amendment had not come into force by that time.

In view

The Honorable
Alexander Wiley, Chairman,
Committee on Foreign Relations,
United States Senate.

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In view of the urgency of this matter, this report has not been cleared with the Bureau of the Budget.

Sincerely yours,

For the Secretary of State:

Thruston B. Horton
Assistant Secretary

83^d CONGRESS
2^d Session

S. J. RES. 156

IN THE SENATE OF THE UNITED STATES

MAY 11 (legislative day, APRIL 14), 1954

Mr. Ives introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

Whereas the United States of America is a member of the International Labor Organization; and

Whereas the International Labor Conference, considering the desirability of increasing the size of the governing body of the International Labor Office to take account of increases in the membership of the organization, adopted for this purpose at Geneva on June 25, 1953, at its thirty-sixth session an instrument for the amendment of the constitution of the International Labor Organization; and

Whereas the delegation of the United States of America to the thirty-sixth session of the International Labor Conference unanimously supported the aforesaid instrument of amend-

ment, which was approved by one hundred and eighty-nine votes to naught, with two abstentions: Therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 That the President is hereby authorized to accept on behalf
4 of the United States of America the instrument for the
5 amendment of the constitution of the International Labor
6 Organization adopted at Geneva on June 25, 1953, by the
7 International Labor Conference at its thirty-sixth session.

83d CONGRESS
2d Session

S. J. RES. 156

JOINT RESOLUTION

Providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization.

By Mr. Ives

MAY 11 (legislative day, APRIL 14), 1954
Read twice and referred to the Committee on
Foreign Relations

83RD CONGRESS
2^D SESSION

S. RES. 247

IN THE SENATE OF THE UNITED STATES

MAY 13, 1954

Mr. JENNER (for himself and Mr. McCARRAN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

1 *Resolved, That—*

2 (1) Whereas it is morally wrong for the Govern-
3 ment of the United States to maintain diplomatic rela-
4 tions with the band of Kremlin international outlaws
5 who, by stealth and ruthless power, have enslaved one-
6 third of the people of the world; and whereas the out-
7 posts and advance positions of this outlaw band,
8 received and tolerated under the guise of "diplomatic
9 missions", in the United States and other countries of the
10 free world are in fact nests of espionage, seditious propa-
11 ganda and sabotage: Therefore, it is the sense of the
12 Senate that the Government of the United States should

1 sever diplomatic relations with the alleged Government
2 of Soviet Russia and with the alleged governments of the
3 countries which have been enslaved by the alleged Gov-
4 ernment of Soviet Russia.

5 (2) Whereas the tentacles of international commu-
6 nism are ever reaching for new areas of conquest, and
7 this spreading menace can be effectively combated only
8 by concerted action of the free nations: Therefore, it is
9 the sense of the Senate that the Government of the
10 United States should convoke an international confer-
11 ence of the free nations of the world for the purpose of
12 agreeing upon united action (a) to destroy the Commu-
13 nist fifth column, and (b) to resist further aggression by
14 international communism.

83d CONGRESS
2d Session

S. RES. 247

RESOLUTION

To express the sense of the Senate on severing diplomatic relations with Russia and calling an international conference to take united action against communism.

By Mr. JENNET and Mr. McCARRAN

MAY 13, 1964

Referred to the Committee on Foreign Relations

83d CONGRESS
1st Session

S. 138

IN THE SENATE OF THE UNITED STATES

JANUARY 7 (legislative day, JANUARY 6), 1953

Mr. LANGER introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide aid to persons in the United States desirous of migrating to the Republic of Liberia, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 *That it is hereby declared to be the policy of Congress to*
- 4 *coöperate with the Republic of Liberia in furthering the*
- 5 *interests and welfare of large numbers of persons who are*
- 6 *residing in the United States and who desire to emigrate to*
- 7 *and settle permanently in the Republic of Liberia. It is*
- 8 *the intent of Congress that the benefits and provisions of*
- 9 *this Act shall apply to citizens of the United States, and*
- 10 *aliens who are lawful residents in the United States, who*
- 11 *may qualify as eligible for citizenship in the Republic of*

1 Liberia, and who by character, physical fitness, and climatic
2 adaptability may qualify as migrants to be permanently
3 settled in the Republic of Liberia, and who shall have vol-
4 untarily expressed a desire to become migrants under the
5 provisions of this Act.

6 SEC. 2. The President is hereby authorized and di-
7 rected to enter into negotiations with the Government of
8 the Republic of Liberia for the purpose of obtaining the
9 consent of that country to the migration and permanent
10 settlement of individuals assisted in accordance with the
11 provisions of this Act. The President shall further nego-
12 tiate with the Government of the Republic of Liberia to
13 secure reasonable guaranties that safety of life and limb and
14 freedom of action for the migrants while under Liberian
15 rule will be assured; that the Government of the Republic
16 of Liberia will earnestly prohibit and punish any act or
17 acts of intolerance or persecution, either political, social,
18 or economic, of the migrants because of their condition as
19 migrants; and that the migrants while aliens in the Re-
20 public of Liberia shall enjoy all the privileges and immuni-
21 ties of any other aliens resident in the Republic of Liberia,
22 and that, after naturalization, they shall enjoy all the priv-
23 ileges and immunities of other citizens of the Republic of
24 Liberia. The provisions of this section shall be a condition
25 precedent to other provisions of this Act.

1 **SEC. 3.** There is hereby created a commission to be
2 known as the Liberian Migration Commission, consisting of
3 three members to be appointed by the President, by and
4 with the advice of the Senate, for a term ending June 30,
5 1954, and one member of the Commission shall be desig-
6 nated by him as Chairman. Each member of the Commis-
7 sion shall receive a salary at the rate of \$10,000 per annum.
8 The Commission may employ necessary personnel, including
9 technicians, without regard to the civil-service laws or the
10 Classification Act of 1923, as amended, and make provision
11 for necessary supplies, facilities, and services to carry out
12 the provisions and accomplish the purposes of this Act. It
13 shall be the duty of the Commission to formulate and issue
14 regulations, necessary under the provisions of this Act, and
15 in compliance therewith, for the migration of eligible persons
16 to the Republic of Liberia. It shall also be the duty of the
17 Commission to report on February 1, 1950, and semiannu-
18 ally thereafter to the President and to the Congress on the
19 situation regarding the migration of eligible persons to Li-
20 beria. At the end of its term the Commission shall make a
21 final report to the President and to the Congress.

22 **SEC. 4. (a)** Under such regulations as the Commis-
23 sion may prescribe, any citizen of the United States, and
24 any alien who is a lawful resident of the United States,
25 who is in good physical condition and is capable by reason

1 of his training, adaptability, intelligence, and ambition of
2 becoming a self-sustaining settler in the Republic of Liberia,
3 and who desires to become a migrant and settler in such
4 country, may file an application on blanks prepared and
5 supplied by the Commission requesting assistance in migrat-
6 ing to and permanently settling in the Republic of Liberia.
7 Such application shall furnish such information as will enable
8 the Commission to properly assess and evaluate the qualifica-
9 tions of the applicant. If the applicant is a householder,
10 he may make application for all the members of his house-
11 hold as a unit. The application of a person responsible for
12 the support and maintenance of children under the age of
13 sixteen years shall not be favorably acted upon unless such
14 children are to accompany such applicant on his migration,
15 or unless he has made adequate provision for their support
16 and maintenance pending their transfer to join the applicant
17 in the Republic of Liberia.

18 (b) The following persons shall not be eligible for
19 migration under this Act: Escaped convicts or fugitives from
20 justice, persons under indictment and awaiting trial, persons
21 who by reason of past criminal offenses are poor risks of
22 becoming law-abiding and self-sustaining settlers in the
23 Republic of Liberia, persons applying for migration for the
24 purpose of defrauding creditors, and such other persons as the
25 Commission may reasonably believe are likely to become

1 public charges or social liabilities in the Republic of Liberia
2 or who are otherwise unacceptable to the Government of the
3 Republic of Liberia. The findings of the Commission with
4 respect to the eligibility of any person for migration under
5 this Act shall be final.

6 SEC. 5. (a) The Commission is authorized to lease,
7 furnish, and equip such office space in the District of Colum-
8 bia and elsewhere as it may deem necessary; order goods
9 and services from private individuals or concerns in the
10 ordinary course of trade; requisition any department, board,
11 or agency of the United States for any available goods,
12 services, or facilities which may be necessary in carrying
13 out the provisions of this Act, without affecting the proper
14 operation of such department, board, or agency; provide
15 transportation by land and by sea to qualified applicants
16 migrating under the provisions of this Act, and to their
17 households, from the initial point of departure in the United
18 States to the point of settlement in the Republic of Liberia,
19 and to contract with land and maritime transportation com-
20 panies for such purposes to the extent necessary by reason
21 of the fact that such transportation facilities are not avail-
22 able from the Government of the United States; and provide
23 adequate subsistence, medical care, and other necessities of
24 life for the migrants during transit and until finally settled
25 at the point of settlement.

1 (b) With the consent of the Government of the Re-
2 public of Liberia, the Commission is authorized to select or
3 approve suitable sites for settlement of migrants in the
4 Republic of Liberia; to establish and operate reception and
5 disembarkation centers, supply depots, commissaries, tempo-
6 rary housing at points of settlement, dispensaries, pharma-
7 cies, and first-aid stations, and such other buildings and
8 facilities as are necessary and proper to safeguard the health
9 of the migrants and to carry out the purposes of this Act,
10 together with all necessary equipment and personnel.

11 (c) The Commission is further authorized, within the
12 limits of such funds as may be appropriated to it, to supply
13 tools, equipment, materials, and technical assistance and
14 advice, to the migrants when necessary to assist them in
15 becoming self-sustaining members of their communities; to
16 make loans to individuals, partnerships, or corporations com-
17 posed of migrants, in meritorious cases, not to exceed
18 \$1,000 in any case, on reasonably liberal terms and condi-
19 tions, as initial capital for business and industrial enterprises
20 in Liberia; and to cooperate with and render technical and
21 other assistance to the Government of the Republic of
22 Liberia, or its responsible agencies, in the establishment of
23 towns and rural districts, improvements of conditions of pub-
24 lic sanitation, construction of public works and facilities,
25 reclamation of land, development and improvement of utili-

1 ties, schools, hospitals, and transportation facilities, encour-
2 agement of business enterprise and capital investments in
3 the Republic of Liberia, and the construction, development,
4 or encouragement of such other public works or projects as
5 will tend to raise the standard of living and increase the
6 productivity of the Republic of Liberia.

7 SEC. 6. Such sums as are necessary to carry out the
8 provisions of this Act are hereby authorized to be appro-
9 priated.

10 SEC. 7. The authority conferred by this Act shall ex-
11 pire on June 30, 1954. This Act shall become effective
12 upon the date of its enactment.

82d CONGRESS
1st Session

S. 138

A BILL

To provide aid to persons in the United States
desirous of migrating to the Republic of
Liberia, and for other purposes.

By Mr. LANGER

JANUARY 7 (legislative day, JANUARY 6), 1953
Read twice and referred to the Committee on
Foreign Relations

UNIVERSAL COPYRIGHT CONVENTION

Statement for Senator Hickenlooper

The subcommittee of which I am the Chairman is reporting unanimously to the full Committee the Universal Copyright Convention signed at Geneva in 1952. Hearings on the Convention and the implementing legislation were held jointly with the subcommittee on Patents Trademarks and Copyright of the Committee on the Judiciary, which is considering S.2559.

During the course of these hearings our subcommittee was impressed both with the need for the Convention and the widespread support which exists for it throughout almost every branch of industry affected. Your subcommittee considers that the United States and its people will benefit greatly from our acceptance of the Convention, which has been carefully drafted so as to take into account and give recognition to the principles governing the protection of copyrights in the United States.

What the Convention does, basically, is to provide that every State shall grant copyright protection to the works of subjects of other parties to the same degree and on the same basis as that which it provides for its own nationals. The guiding principle of the Convention, therefore, is that of national treatment.

The Convention will afford a sounder and more satisfactory basis for protecting the literary and artistic works of our own citizens in foreign countries than now exists. Today this protection hangs on a rather tenuous thread. To obtain protection for the fruits of his labor in countries outside the United States, an American author must resort to the device of "publishing" his work simultaneously in a Berne Convention country—a con-

vention to which the United States is not even a party. By such "publication" (which consists in releasing copies for sale, usually in Canada, simultaneously with publication in the United States), the American ~~author~~ author obtains protection in every country which is party to the Berne Convention. However the basis of this protection can be withdrawn at any time.

The Universal Copyright Convention would change this unsatisfactory State of affairs, and give American citizens, for the first time in our history a sound basis for safeguarding their works in foreign countries through a multipartite convention. The Convention is warmly supported by the Department of State, by the Office of the Register of Copyrights, by the Library of Congress, and by the Department of Commerce, as well as by the entire organized copyright bar.

